

**INDETERMINATE
SENTENCE
REVIEW BOARD**

Victim Services

APRIL 2007

National Crime Victims' Rights Week

**Indeterminate
Sentence Review
Board (ISRB)**

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Each April, National Crime Victims' Rights Week is held to honor crime victims and those who advocate on their behalf. Victim Services at the Indeterminate Sentence Review Board (ISRB) would like to take the opportunity during this commemorative week to acknowledge the commitment, perseverance, and strength of community and system-based victim advocates here in WA state.

Victim advocates work tirelessly to ensure that victims of crime and their loved ones are treated with respect, compassion, and are provided access to the services they need to rebuild their lives.

They provide information on victims' rights, and offer guidance on how to exercise



those rights. They offer help, wisdom, and crucial services.

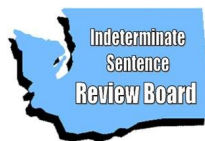
Thank you for your dedication and continued work on behalf of victims of crime!

The information contained in this newsletter provides a brief overview of the ISRB, and the services offered to victims through our Victim Liaison. We value what you do each day, and are committed to ensuring that victims, and their advocates are knowledgeable about the ISRB, services available to victims at the ISRB, and how victims of crime can exercise their rights in the ISRB process.

"It is a kingly act to assist the fallen."
Mother Teresa

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What is the ISRB?

The Indeterminate Sentence Review Board (ISRB) has two distinct caseloads:

1. The ISRB is responsible for the review of any person who committed their crime prior to July 1, 1984, and was sentenced to prison

(Indeterminate Sentencing).

2. The ISRB also has jurisdiction over certain sex offenders who committed a specific sex or sexually motivated crime on or after September 1, 2001 (Determinate Plus

Sentences).

The ISRB is composed of a full-time Chair, and two part-time Board members. With the probable signing of HB 1220, two additional full-time Board members will be appointed by the Governor in July, 2007.



Ellen Hanegan-Cruse, MSW
Victim Liaison

Victim Services at the ISRB

The Washington State Constitution gives victims of crime the right to make a statement “at any proceeding where the (offender’s) release is considered”

(Article, I, Section 35). Victim Services provides information, notification, and assistance to victims of offenders who fall under the jurisdiction of the ISRB.

Ensuring that victims are aware of their right to make

a statement to the ISRB, and how to exercise that right should they choose to do so, is one of the primary responsibilities of Victim Services.

Victim Liaison, Ellen Hanegan-Cruse, MSW became a full-time employee at the ISRB in the fall of 2006. She had previously worked as the Advocacy Services Program Coordinator at the Office of Crime

Victims Advocacy (OCVA), and as a victim advocate in the Snohomish County Prosecutor’s Office. “It is a privilege to continue working with the compassionate, talented, dedicated victim advocates I have met over the years,” states Ellen. “I hope that you will contact me if you have any questions, or if I can be of assistance to you and/or the victims you serve.”

“To ensure victims a meaningful role in the criminal justice system and to accord them due dignity and respect, victims of crime are hereby granted the following basic and fundamental rights.”

Washington State
Constitution,
Article I, Section 35

Indeterminate Sentencing

The ISRB conducts ‘parolability’ or release hearings for offenders who committed their crime prior to July 1, 1984. The hearings are held in the Dept of Corrections institution approximately 120 days before the offender’s ‘Parole Eligibility Review Date’. The law states that the ISRB shall not release a prisoner until his or

her maximum term expires unless, in the Board’s opinion, his or her rehabilitation has been complete and he or she is a fit subject for release. If the ISRB determines that the offender is not fit for release, they set a new minimum term, typically 60 months or less. The offender will continue to appear before

the ISRB periodically until he/she is granted ‘parole’.

A complete background on Washington’s Parole System, information on factors considered by the ISRB when reviewing an offender for possible “parole”, and other valuable information, is available on the ISRB’s web site at: www.srb.wa.gov/indeterminate.html.

Determinate Plus Sentences

The ISRB conducts “Community Custody Release” hearings within the Dept of Corrections facility or institution for offenders who committed a specific sex or sexually motivated crime on or after September 1, 2001. The hearing, which is held not less than 90 days before the expiration of the Court set minimum term, is to determine “whether it is

more likely than not that the offender will engage in sex offenses if released on conditions...”. If the offender is found not releasable by the ISRB, the Board can add up to 24 months onto their minimum sentence. This process will repeat until the offender is found releasable, or reaches the end of his/her statutory maximum sentence.

Please visit the ISRB web site to find a detailed summary of the enacting legislation, a list of the crimes that fall under ISRB jurisdiction for ‘Determinate Plus Sentences’, information on community supervision, and additional information at: www.srb.wa.gov/determinateplus.html.

Confidentiality

In choosing whether or not to exercise their right to make a statement to the ISRB, victims of crime may inquire about the confidentiality of a statement given to the Board.

Some content of a victim's communication with the ISRB may be held confidential and will not be accessible to the offender. Currently, the law does not

require release to the offender of the identification of the source of victim input. However, the law does require that the offender be given a summary of information considered by the ISRB in making their decisions.

As quasi-judicial officers, the ISRB must not have ex-parte (purely secret) communications affecting the liberty interests of offenders

under its jurisdiction.

Information about a victim's communication with the ISRB Victim Liaison for the purpose of learning about the process, and reaching a decision about whether to participate **will not** be disclosed to the offender or anyone representing the offender.

"...a victim of crime shall have the right to make a statement at sentencing and at any proceeding where the defendant's release is considered."

Washington State
Constitution
Article I, Section 35

Victim Statements

Victim/survivors, their loved ones, and/or their representatives are offered several options for providing information to the ISRB. Victims may submit a written statement either on paper or electronically, or send the ISRB a video or audio tape. All Board Members read the statements prior to making a decision regarding an offender's eligibility for either parole or community custody release. The ISRB keeps the statements in the ISRB's permanent file. They are considered again in all future parole or community custody release decisions.

Victims may include any

information they would like the members of the ISRB to know about the impact of the crime on them and/or their families, both at the time of the crime and in the intervening years. Since this is information that the ISRB cannot obtain from any other source, it can be very valuable to the ISRB in arriving at a more complete view of the crime and the offender.

Victims may also meet directly with the members of the ISRB to present a statement orally and/or in writing. Meetings are held at the ISRB office in Olympia, or at a mutually agreed to location.

Victims may also chose to

participate either via telephone or video-conferencing. Offenders are not present at these meetings. The Victim Liaison coordinates victim meetings with the Board.

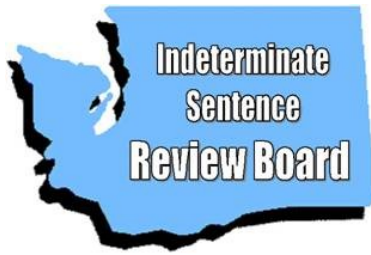
The Victim Liaison is available to answer questions about confidentiality of statements, provide information on the ISRB process, assist with victim statements, answer questions about meeting directly with the members of the ISRB, and provide referrals for victim safety planning and notification services offered through the Dept of Corrections (DOC) Victim Services Program.

Notification

Victim/survivors, their loved ones, and/or their representatives who would like to be notified when an offender under the jurisdiction of the ISRB will be reviewed for parole or community custody release, are encouraged to contact the ISRB Victim Liaison to provide current contact information.

Whether or not a victim chooses to participate in the ISRB process, he or she may be eligible for the Notification Program within the Department of Corrections. Victims, witnesses, and concerned community members are eligible for notification services if the offender has been sentenced to prison.

Victims must enroll to be notified. Additionally, the DOC Victim Services Program can assist victims of certain high-risk offenders with safety planning. Information can be found on the DOC web site: www.doc.wa.gov/victims/ or by calling 1-800-322.2201.



Jeralita "Jeri" Costa, Chair
Julia Garratt, Board Member
Dennis Thaut, Board Member

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Mission Statement::

The Indeterminate Sentence Review Board is an integral component of Washington's criminal justice system. The mission of the Indeterminate Sentence Review Board is to make informed decisions relating to an offender's release or further incarceration by a thorough analysis of the offender's past and present behavior and risk to public safety.

Determinate Plus Sentences

